UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/867,679	05/31/2001	Martin John Millmore	19111.0057	7209

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WASHINGTON, DC 20007	3663	

DATE MAILED: 11/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/867,679	MILLMORE ET AL.
	Examiner	Art Unit	
	LUU MATTHEW	3663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 August 2005*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claim 3 is rejected under 35 U.S.C. 102(a) as being anticipated by Atlas et al

(6,208,339).

Regarding claim 3, Atlas discloses (Figs. 3 and 4) a method for controlling the

appearance of a data entry form on a display (display screen of Fig. 3), the method

comprising causing a data entry form (50) to be displayed on a display in accordance

with stored attributes (autocomplete function attributes), the data entry form having at

least one data entry field (Social Security Number 53); monitoring data values (portion

57)(the first three number 226) entered into the data entry field (53), and dynamically

altering the data entry form and the display of the data entry form (50) based on the

entered data values. Fig. 4 shows, upon the entry of portion (57), the autocomplete

function provides portion (58) (Column 4, lines 11-15). This autocomplete function

changes the data entry form (50), i.e., Fig. 4 shows the altered data entry field from

three numbers to nine numbers (226 78 0555).

Regarding to the new added limitation "displaying at least one further data entry

field corresponding to each of at least two data values which may be entered in the one

data entry field", Atlas further discloses (Fig. 6) one further data entry field (menu dialog

60) corresponding to each of at least two data value (on value 61 and off value 62)

which <u>may be</u> or <u>may be not</u> entered in the one data entry field. In other words, the

claimed "<u>may be</u> entered in the one data entry field" is not a positive limitation since the

word "may be" can be interpreted as "<u>may be</u> or <u>may be not</u>". Therefore, the Atlas

reference does not require to read on this limitation.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 3 and 10-15 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Day, Jr. et al (4,763,356) (hereinafter Day) in view Kennedy et al (6,651,217).

Regarding claim 3, Day discloses (Figs. 3 and 4) a method for controlling the

appearance of a data entry form on a display (form 30 on a display 15). The method

comprises the step of causing a data entry form (30) to be displayed on a display (15) in

accordance with stored attributes (highlighted attribute) (Column 3, lines 47-51). The

data entry form (30) having at least one data entry field (Fig. 3, entry field 41), wherein a

user can inserts the word "CONVERTIBLE" model for the entry field (41). As shown in

Fig. 4, upon inserts the name "CONVERTIBLE", the form entry system dynamically

altering the data entry form and the display of the data entry form by highlighting the

next filed and bring up the corresponding tool (5) to fill in that field (Column 3, line 63 to column 4, line 2).

Regarding to the new added limitation "displaying at least one further data entry field corresponding to each of at least two data values which may be entered in the one data entry field", Day further discloses (Fig. 4) one further data entry field (menu 50) corresponding to each of at least two data value (Year 19780 to year 1986) which may be or may be not entered in the one data entry field (Year highlighted box 51). In other words, the claimed "may be entered in the one data entry field" is not a positive limitation since the word "may be" can be interpreted as "may be or may be not". Therefore, the Day reference does not require to read on this limitation.

Day fails to explicitly teaches the step of monitoring data values entered into the at least one data entry field.

However, it would have been to a person of ordinary skill in the art to recognize that the form entry system of Day would monitor which car model, such as roadster (42), 4 DR. sedan (43), etc. being entered and change the tool menu responsively to the user's selection.

Furthermore, Kennedy also discloses (Fig. 2) a user of client computer (204) visit web site (201) and enters his name, address, and telephone number into form (25),

modified web browser (205) associates the values entered by the user with field labels

appearing near the values and stores the values into a data structure (206) for future

use (Column 6, lines 23-29). Kennedy further discloses a profile generator function

(205c) extracts the name, address, and phone number entered by the user, fills out the

corresponding fields in autofill profiled (203) by matching field labels in form (250) with

those in autofill profile (203), and prompts the user to fill in missing data items such as

e-mail. When the user has completed the user profiled, the completed form is saved

and used as the basis for populating future forms (Column 6, lines 50-58). Kennedy

further teaches "In accordance with one aspect of the present invention, data values for

the fields that were filled in by the user in Fig. 4 are extracted, matched with the fields in

the autofill profile, and presented to the user as shown in Fig. 6" (Column 8, lines 27-

31). Thus, based on this teaching, the form entry system of Kennedy monitors the data

values entered by the user, such as his name, address, and telephone number.

Therefore, it would have been obvious to the person of ordinary skill in the art to use the

monitoring or matching processed of Kennedy into the form entry system of Day to

create a profile generator for storing the car buyer profile for future use.

Regarding claims 10 and 12, Day discloses (Figs. 8-9) a corresponding further

data entry field (fields 85-1 to 85-7) is an address entry field having a correct format for

the address style data value (the dealer address style data value). See column 5, lines

48-58.

On the other hand, Kennedy also discloses (Figs. 7 and 8) a corresponding further data entry field is an address entry field having a correct format for the address style data value (the highlighted autofill address style).

Regarding claim 11, Kennedy discloses (Figs. 7 and 8) the corresponding further data entry filed corresponds in form with the data value entered into one data entry field. Figs. 7 and 8 shows different form styles with certain fields highlighted to indicate that they contain automatically suggested values. See column 8, line 54 to column 9, line 13.

Regarding claim 13, Day discloses (Figs. 8-9) wherein the controller (computer 20) further displays a corresponding plurality of further data entry field (fields 85-1 to 85-7) according to the stored attribute data (the dealer address attribute data values). See column 5, lines 48-58.

On the other hand, Kennedy also discloses (Figs. 7 and 8) a corresponding plurality of further data entry fields according to the stored attribute data (the highlighted autofill attribute data).

Regarding claim 14, Kennedy discloses (Figs. 7 and 8) a corresponding plurality of further data entry fields correspond in form with the data value entered into the one data entry field. Figs. 7 and 8 shows different form styles with certain plurality of fields

highlighted to indicate that they contain automatically suggested values. See column 8, line 54 to column 9, line 13.

Regarding claim 15, Day discloses (Figs. 8-9) a corresponding further data entry field (fields 85-1 to 85-7) indicating a style (the dealer information address style) and the corresponding plurality of further data entry fields (fields 85-1 to 85-7) have correct formats for the indicated style (the dealer address style data value). See column 5, lines 48-58.

On the other hand, Kennedy also discloses (Figs. 7 and 8) a corresponding further data entry fields having a correct format for the address style data value (the highlighted autofill address style).

Claim Rejections - 35 USC § 103

Claims 1-2 and 4-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Day in view of Kennedy as applied to claims 3 and 10-15 above, and further in view of Nishiyama et al (6,421,693).

Regarding claim 1, Day discloses (Figs. 3 and 4) a method for controlling the appearance of a data entry form on a display (form 30 on a display 15). The method comprises the step of causing a data entry form (30) to be displayed on a display (15) in accordance with stored attributes (highlighted attribute) (Column 3, lines 47-51). The data entry form (30) having at least one data entry field (Fig. 3, entry field 41), wherein a user can inserts the word "CONVERTIBLE" model for the entry field (41). As shown in

Fig. 4, upon inserts the name "CONVERTIBLE", the form entry system dynamically

altering the data entry form and the display of the data entry form by highlighting the

next filed and bring up the corresponding tool (5) to fill in that field (Column 3, line 63 to

column 4, line 2). Day also discloses (Figs. 8-9) a corresponding further data entry field

(fields 85-1 to 85-7) for each of at least two data values (fields 85-1 to 85-7 are at least

two data values).

Day fails to explicitly teaches the step of monitoring data values entered into the

at least one data entry field. Day fails to disclose "entering data into a database".

However, it would have been to a person of ordinary skill in the art to recognize

that the form entry system of Day would monitor which car model, such as roadster

(42), 4 DR. sedan (43), etc. being entered and change the tool menu responsively to the

user's selection.

Furthermore, Kennedy also discloses (Fig. 2) a user of client computer (204) visit

web site (201) and enters his name, address, and telephone number into form (25),

modified web browser (205) associates the values entered by the user with field labels

appearing near the values and stores the values into a data structure (206) for future

use (Column 6, lines 23-29). Kennedy further discloses a profile generator function

(205c) extracts the name, address, and phone number entered by the user, fills out the

corresponding fields in autofill profiled (203) by matching field labels in form (250) with

those in autofill profile (203), and prompts the user to fill in missing data items such as e-mail. When the user has completed the user profiled, the completed form is saved and used as the basis for populating future forms (Column 6, lines 50-58). Kennedy further teaches "In accordance with one aspect of the present invention, data values for the fields that were filled in by the user in Fig. 4 are extracted, matched with the fields in the autofill profile, and presented to the user as shown in Fig. 6" (Column 8, lines 27-31). Thus, based on this teaching, the form entry system of Kennedy monitors the data values entered, such as his name, address, and telephone number. Therefore, it would have been obvious to the person of ordinary skill in the art to use the monitoring or matching processed of Kennedy into the form entry system of Day to create a profile generator for storing the car buyer profile for future use.

As to the claimed "entering data into a database", Nishiyama discloses (Fig. 2) a form entry system wherein the enter data can be stored in a specific database (2) (Column 5, lines 50-57). It would have been obvious to the person of ordinary skill in the art to recognize that writing and reading data from a database is well known in the art.

Regarding claim 2, Kennedy discloses (fig. 2) the controller (client computer 204) is adapted to enable a user to define the content of the store (Profile generator 205c defines the content of the stored data).

Regarding claim 4, note the rejection as set forth above with respect to claim 10.

Regarding claim 5, note the rejection as set forth above with respect to claim 11.

Regarding claim 6, note the rejection as set forth above with respect to claim 12.

Regarding claims 7-9, note the rejection as set forth above with respect to claims 13-15.

Response to Arguments

Applicant's arguments filed August 25, 2005 have been fully considered but they are not persuasive.

Regarding claim 3.

The Applicant argues, at pages 6-7, by asserting that Atlas does not disclose the new added limitation "displaying at least one further data entry field corresponding to each of at least two data values which may be entered in the one data entry field". The examiner respectfully disagrees.

Atlas further discloses (Fig. 6) one further data entry field (menu dialog 60) corresponding to each of at least two data value (on value 61 and off value 62), which may be or may be not entered in the one data entry field. In other words, the claimed "may be entered in the one data entry field" is not a positive limitation since the word

"may be" can be interpreted as "<u>may be</u> or <u>may be not</u>". Therefore, the Atlas reference does not require to read on this limitation.

In response to applicant's argument that the Day reference and the Kennedy reference can not be combined (pages 7-9), the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

Regarding to the new added limitation "displaying at least one further data entry field corresponding to each of at least two data values which <u>may be</u> entered in the one data entry field", Day further discloses (Fig. 4) one further data entry field (menu 50) corresponding to each of at least two data value (Year 19780 to year 1986) which <u>may be</u> or <u>may be not</u> entered in the one data entry field (Year highlighted box 51). In other words, the claimed "<u>may be</u> entered in the one data entry field" is not a positive limitation since the word "may be" can be interpreted as "<u>may be</u> or <u>may be not</u>". Therefore, the Day reference does not require to read on this limitation.

<u>Regarding claims 10-15</u>.

Note the rejections as set forth above with respect to claims 10-15.

Regarding claims 1-2 and 4-9.

The Applicant argues, at pages 9-10, by asserting that "Day does not disclose or suggest storing data values and corresponding attribute data defining at least one further data entry field for each of at least two data values which may be entered in the one data entry field". The examiner respectfully disagrees.

Day discloses (Figs. 3 and 4) a method for controlling the appearance of a data entry form on a display (form 30 on a display 15). The method comprises the step of causing a data entry form (30) to be displayed on a display (15) in accordance with stored attributes (highlighted attribute) (Column 3, lines 47-51). The data entry form (30) having at least one data entry field (Fig. 3, entry field 41), wherein a user can inserts the word "CONVERTIBLE" model for the entry field (41). As shown in Fig. 4, upon inserts the name "CONVERTIBLE", the form entry system dynamically altering the data entry form and the display of the data entry form by highlighting the next filed and bring up the corresponding tool (5) to fill in that field (Column 3, line 63 to column 4, line 2). Day also discloses (Figs. 8-9) a corresponding further data entry field (fields 85-1 to 85-7) for each of at least two data values (fields 85-1 to 85-7 are at least two data values).

Regarding to the limitation "displaying at least one further data entry field corresponding to each of at least two data values which may be entered in the one data

entry field", Day further discloses (Fig. 4) one further data entry field (menu 50) corresponding to each of at least two data value (Year 19780 to year 1986) which may be or may be not entered in the one data entry field (Year highlighted box 51). In other words, the claimed "may be entered in the one data entry field" is not a positive limitation since the word "may be" can be interpreted as "may be or may be not". Therefore, the Day reference does not require to read on this limitation.

In response to applicant's argument that the Day reference and the Kennedy reference can not be combined (pages 11-13), the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

In response to applicant's arguments against the Nishiyama reference individually (page 13), one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.
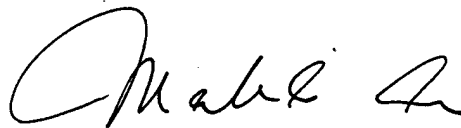
Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUU MATTHEW whose telephone number is (571) 272-7663. The examiner can normally be reached on Flexible Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JACK KEITH can be reached on (571) 272-7663. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

M. Luu

MATTHEW LUU
PRIMARY EXAMINER